IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO. 4034 OF 2003
FARAD CONTINUATION SHEET

Office Notes, Office Memoranda appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's order

Ms. Manjivi Parasnis i/by G.S. Godbole for Petitioners.

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Coram: J.N. PATEL, J.

Date: 24th July, 2006.

P.C.

. The learned counsel for the petitioner after seeking instructions submits that the petitioner-original plaintiff seeks to withdraw the petition with liberty to agitate the issue before the trial Court.

2. This Court grants leave to the petitioners to withdraw the petition. Needless to say that the parties to the litigation will proceed with the suit and will be entitled to agitate all the questions relating to law and fact, what is available to them to

establish their rival claims. Petition disposed of as withdrawn with liberty and the trial Court will not be influenced by the fact that they have not challenged the impugned order which in the opinion of this Court does not prejudice the petitioner- original plaintiff as it is open to the plaintiff to lead whatever evidence he desires in support of his claim. No order as to costs.

(J.N. Patel,J.)

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